REMARKS

Claims 1, 3-18, and 21-23 are pending in the application. Claims 2, 19, 20 are canceled.

Drawings

The drawings are objected to because the reference numeral 39 mentioned in the specification is missing in the drawings. A replacement sheet is submitted showing the numeral 39 in Fig. 3.

The drawings are also objected to because the bayonet lock and casing parts that are press fit are not illustrated. The claims 19 and 20 dealing with these features are canceled with the instant amendment so that the drawing requirement no longer applies.

Specification

The disclosure is objected to because of a misspelled word in paragraph 0014. This error has been corrected.

Claim Objection

In claim 23, the misspelled word "fasting" has been corrected to read "fastening".

Claim Rejections - 35 U.S.C. 112

Claims 19-20 stands rejected under 35 U.S.C. 112, 1st paragraph, because the specification provides no enablement for "bayonet lock" or "press fit". Claims 19-20 are canceled with the instant amendment.

Claim 2 is rejected under 35 U.S.C. 112, 2nd paragraph, because the term "smooth" renders the claim indefinite. Claim 2 is canceled with the instant amendment.

Rejection under 35 U.S.C. 102

Claims 1-11, 14, 15, and 21-23 stand rejected as being anticipated by *Malley (US 2,955,487).*

The present invention is concerned with a casing that is to be used in the food industry where very strict requirements with regard to soiling of the employed motor or transmission casings are posed. No dirt particles, germs or the like should be present on the casings. For this reason, conventional casings have to be cleaned very thoroughly when used in the food industry; this is very time consuming and labor intensive. In some cases, dirt particles are caked on the casing in such a way that they can no longer be removed.

The present invention is concerned with providing a casing that solves the aforementioned problems. The inventive casing designed for use in the food industry has casing parts 2 to 4 connected to one another by fastening elements 5 and 6 that are positioned within (inside) the casing 1 in such a way that they do not extend to the exterior of the casing and are concealed or hidden within the casing. The exterior of the casing therefore has a continuous, closed (no openings or recesses) external surface without any projections or steps or recesses where dirt could collect.

As defined in amended claim 1, the casing parts form a continuous contour of the exterior of the casing free of projections, recesses and steps, even in an area where the casing parts adjoin one another, respectively, wherein the fastening elements are located inside the casing such that the fastening elements do not project to the exterior of the casing parts. The features are disclosed in the specification in paragraphs 0007, 0012, and 0028, for example, as well as in the drawings.

U.S. 2,955,487 discloses a housing with parts 7, 8, 10 and 13 connected with screws 11, 14 and pins 15 to one another. The screw heads of the screws 11, 14 extend to the exterior of the housing (they are exposed and accessible from the exterior). The bores that receive the pins 15 open at the exterior surface of the housing. The housing therefore does not have a continuous contour of the exterior that is free of projections and recesses in the area of the fastening elements 11, 14, 15. The fastening elements are not concealed within the casing. In the bore of the pins 15 and around the exposed screw heads of the screws 11, 14 dirt and germs can deposit easily.

Claims 1-10, 14-17, 21-23 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Schmitter (US 2,869,384)*.

U.S. 2,869,384 discloses a housing 10 with parts 19 and 35 as well as end wall 42. The parts are connected by screws and the screw heads project past the exterior of the housing; see Fig. 1 showing the screw connecting end wall 42 projecting from the flange; projecting screw (near 63) connecting the housing part (disk) 19 to the housing 10; projecting screw connecting housing part 35 to the housing 10. Dirt and germs can easily collect on these projecting screw heads. The fastening elements in the form of the screws are not concealed within the casing. The casing does not have a continuous contour without projections, steps and recesses. The fastening means are not concealed within the

casing.

Claims 1-5, 8-13 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Kitahata (US 6,209,409)*.

U.S. 6,209,409 shows a housing 6 that is connected by bolts 51 to the pinion housing 11. The bolts 51 project outwardly from the housing contour of the exterior of the housing; dirt and germs can collect around the projecting screw head of the bolts 51. The bolts are not concealed within the housing. The housing does not have a continuous contour that is free of projections, recesses and steps.

Claims 1, 2, 14, 16, 17, 18 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Wetzel (US 5,620,311)*.

The cited prior art reference U.S. 5,620, 311 discloses a motor housing 16 and a pump housing 14 connected thereto by means of the beaded end 45 that encloses the end wall 43 of the sleeve-like bearing component 40. The fastening elements (beaded end 45 and end wall 43) are positioned on the exterior of the housing so that in the area of the beaded end 45 recesses are formed (see Fig. 1) where dirt can collect easily. The recesses are formed by "embossments 44 which are impressed repeatedly in a distributed manner over the periphery of the motor casing 16" (see col. 2, lines 51-54). The embossments therefore provide a housing configuration with a plurality of recesses where dirt and germs can collect. The housing does not have a continuous contour that is free of projections, recesses, and steps. The housing is not suitable for use in the food industry.

Figs. 2 to 4 of this reference show alternatives for connecting the pump motor to the pump housing 14. The screwed-on nut 76 (Fig. 2) projects past the end of the pump housing 14. The cover cap 84 (Fig. 3) has a hexagon socket 88 for receiving an allen key. Dirt and germs can collect or deposit on the nut 76 as well as within the recess 88. Likewise, Fig. 4 shows fastening means that create grooves and recesses where dirt can collect. Removal of deposits particularly from the recess 88 would be very difficult. It is obvious that this reference never considered applications in industrial fields where hygiene and cleanliness are a primary consideration.

In all of the aforementioned housings the connection of the individual housing parts with one another by fastening elements results either in recesses on the exterior of the housing or projecting fastening parts. For this reason, the casings or housings cannot be

used in the food industry because such housings are prone to collect dirt and germs that are difficult to remove.

The casing according to the present invention is of such a configuration that the risk of dirt and germs collecting on the exterior is eliminated because the fastening elements 5, 6 connect the housing parts 2, 3, 4 such that the fastening elements are arranged completely within or inside the casing and are concealed in the casing. None of the fastening elements 5, 6 extends to the exterior of the casing. The casing 1 is completely closed in the area of the fastening elements so that a smooth exterior surface is provided that is free of projections, recesses, and steps. Dirt and germs therefore cannot collect thereon. Should dirt cling to the casing, the casing can be cleaned off easily and completely because of the continuous contour of the exterior.

CONCLUSION

In view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Should the Examiner have any further objections or suggestions, the undersigned would appreciate a phone call or e-mail from the examiner to discuss appropriate amendments to place the application into condition for allowance.

Authorization is herewith given to charge any fees or any shortages in any fees required during prosecution of this application and not paid by other means to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on March 20, 2006,

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Encl.: time extension petition (1 sheet); replacement drawing sheet Figs. 1-3 (1 sheet)